

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Uwe HAMMER et al.  
International Application No.: PCT/DE03/01853  
International Filing Date : June 4, 2003  
U.S. Serial No. : 10/535,132  
For : **VALUE ACTUATOR FOR OPERATING A GAS  
EXCHANGE VALVE OF AN INTERNAL COMBUSTION  
ENGINE**

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371**

S I R :

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (mailed November 28, 2005), Applicants submit herewith a fully executed Declaration and Power of Attorney to complete the filing requirements for the U.S. national phase of the above-identified PCT application.

The application filed in the Patent Office is the application which the inventors executed by signing the Declaration and Power of Attorney. A copy of the Notification of Missing Requirements is also enclosed.

The Office is authorized to charge the \$130.00 fee to cover the surcharge for late filing of the Declaration to Deposit Account No. 11-0600. The Office is also hereby authorized to charge Deposit Account No. 11-0600 with any additional fees required by this paper or credit any overpayment. An additional copy of this letter is enclosed for this purpose

Respectfully submitted,

KENYON & KENYON

Date: *12/13/05*

*[Signature]*  
Gerard A. Messina, Reg. No. 35,952

12/19/2005 ATRAN1 00000059 110600 10535132

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/535,132	Uwe Hammer	10191/4227

INTERNATIONAL APPLICATION NO.
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PCT/DE03/01853

I.A. FILING DATE	PRIORITY DATE
06/04/2003	12/02/2002

26646  
 KENYON & KENYON  
 ONE BROADWAY  
 NEW YORK, NY 10004

CONFIRMATION NO. 3589

371 FORMALITIES LETTER



\*OC000000017528243\*

Date Mailed: 11/28/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/16/2005
- English Translation of the IA filed on 05/16/2005
- Copy of the International Search Report filed on 05/16/2005
- Preliminary Amendments filed on 05/16/2005
- Information Disclosure Statements filed on 05/16/2005
- Oath or Declaration filed on 05/16/2005
- Request for Immediate Examination filed on 05/16/2005
- U.S. Basic National Fees filed on 05/16/2005
- Substitute Specification filed on 05/16/2005
- Priority Documents filed on 05/16/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DARRELL C COTTMAN

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**PART 1 - ATTORNEY/APPLICANT COPY**

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10/535,132	PCT/DE03/01853	10191/4227